VAIBHAV RAMESH JADHAV
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 602 OF 2026

Harshad Alias Bibhishan Tanaji Pawar … Applicant
Versus.
The State of Maharashtra & Anr. … Respondents

Mr. Abhishek S. Nandimath for the Applicant.

Mr. S. S. Chaudhari, APP for the State.

Mr. Ingole, Police Naik, Pandharpur Rural Police Station, Solapur is present.

CORAM : ASHWIN D. BHOBE, J.

DATED : OCTOBER 12, 2026

P.C.:

1. Heard, Mr. Abhishek S. Nandimath, learned Advocate for the Applicant and Mr. S. S. Chaudhari, learned APP for the State.

2. By this Application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Applicant seeks pre-arrest bail, apprehending arrest in Crime No. 345 of 2026 registered at Pandharpur Gramin Police Station under Sections 108 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Mr. Abhishek S. Nandimath, learned Advocate for the Applicant, states that there are three (3) Accused in Crime No. 345 of 2026. He further states

that the Applicant is Accused No. 2; Laxmi Pravin Shingate is Accused No. 1; and Chhaya Kailas Dongare is Accused No. 3.

4. In brief, the case of the prosecution is that Sachin Baban Shingate (Informant) lodged a report that his brother Pravin Baban Shingate ("deceased") committed suicide on 11th September 2026. Two suicide notes were found in the pocket of the deceased, which revealed that the deceased committed suicide due to the illicit relationship between the Applicant and Accused No.1 and the constant humiliation, harassment and instigation by all three Accused. The deceased was found hanging by a rope in his house.

5. Mr. Abhishek S. Nandimath, learned Advocate for the Applicant, states that merely having an illicit relationship would not be a cause for the deceased to commit suicide. He submits that the Applicant did not instigate the offence. He submits that there is doubt about the genuineness of the suicide notes. He submits that Accused No. 1 was arrested on 13th September 2026 and was released on regular bail on 3rd October 2026. He states that the Applicant is ready to surrender his mobile phone to the Investigating Officer. He submits that the custodial interrogation of the Applicant is thus not required.

6. Mr. S. S. Chaudhari, learned APP for the State, by referring to the investigation papers, submits that the material on record clearly indicates

that the Applicant and Accused No. 1, along with the mother of Accused No. 1, were humiliating and harassing the deceased, which amounts to instigation. He, by referring to the two suicide notes of the deceased, submits that the deceased, facing harassment in the form of instigation, committed suicide. He submits that the record contains more than sufficient material to show that the Applicant is involved in instigation. He submits that the custodial interrogation of the Applicant is required.

7. Perused the record with the assistance of the learned Advocates.

8. The FIR indicates that the alleged illicit relationship between Accused No. 1 and the Applicant prima facie appears to be the major proximate factor and nexus to the commission of suicide by the deceased. The material on record, as pointed out by Mr. S. S. Chaudhari, learned APP, which include suicide notes, prima facie indicates that the deceased committed suicide on account of instigation by the Accused.

9. As submitted by Mr. S. S. Chaudhari, learned APP, the Applicant took a drastic step to end his life, prima facie, on account of the illicit relationship between the Applicant and Accused No.1. From the material on record, this is not a case where the relationship between the Applicant and Accused No. 1 can be labelled immoral for the grant of pre-arrest bail.

10. Section 108 of the Bharatiya Nyaya Sanhita, 2023 requires (i) direct or

indirect instigation; (ii) proximity to the commission of suicide, along with clear mens rea to abet the commission of suicide.

11. Prima facie, the record indicates that the ingredients of Section 108 of the Bharatiya Nyaya Sanhita, 2023 are attracted against the Applicant.

12. In view of the above, this is not a fit case for pre-arrest bail. As such, Anticipatory Bail Application No.602 of 2026 stands rejected.

(ASHWIN D. BHOBE, J.)